

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO.: 3:04CR315**

**UNITED STATES OF AMERICA,**       )  
                    **Plaintiff**                        )  
**vs.**    )  
  )  
**TERRY JACKSON BENNETT,**       )  
                    **Defendant.**                        )  
  )  
\_\_\_\_\_)    )

**ORDER**

**THIS MATTER IS BEFORE THE COURT** upon the receipt of a handwritten “Motion to Dismiss Based on Defective Indictment” from Terry Jackson Bennett, dated June 1, 2005. Court records reflect that Mr. Bennett is represented by appointed counsel, Harold J. Bender. It is the practice of the Court, when a defendant is represented by counsel, to rule on motions filed only by counsel of record. Therefore, if Mr. Bennett has any matters he wishes this Court to consider, they must be submitted through his attorney.

**IT IS, THEREFORE, ORDERED** that Mr. Bennett’s “Motion to Dismiss Based on Defective Indictment” is **DENIED**, without prejudice to Mr. Bennett’s right to re-file the motion, if appropriate, through his attorney.

The Clerk of Court is directed to send a copy of the motion to Mr. Bender along with his copy of this Order.

**Signed: June 20, 2005**

A handwritten signature in black ink, appearing to read 'D.C. Keesler', is written over a horizontal line.

David C. Keesler  
United States Magistrate Judge

